

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KARLOS E. CADDELL,	:	CIVIL ACTION NO. 1:03-CV-2039
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
PATRICK K. O'LEARY and	:	
MATTHEW J. KENNEDY,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 9th day of June, 2005, upon consideration of plaintiff's motion in limine (Doc. 59), seeking to preclude the introduction of evidence relating to defendants' character on grounds that such evidence lacks relevancy to plaintiff's claims against defendants for unlawful seizure, and it appearing that evidence of character is generally not admissible to demonstrate conduct in conformity therewith, see FED. R. EVID. 404, but that evidence of character may be used for impeachment purposes, FED. R. EVID. 608 ("The credibility of a witness may be attacked or supported by evidence in the form of opinion or reputation"); Renda v. King, 347 F.3d 550, 554 (3d Cir. 2003) (holding that evidence of witness's character is admissible when character is attacked); see also 27 CHARLES ALAN WRIGHT & ARTHUR R. MILLER, FEDERAL PRACTICE AND PROCEDURE § 6095 (3d ed. 1998) (discussing bias as impeachment tool), it is hereby ORDERED that the motion in limine (Doc. 59) to preclude evidence of defendants' character is GRANTED with respect to evidence of defendants' character used for non-impeachment purposes

and is DENIED with respect to evidence of defendants' character for impeachment purposes without prejudice to plaintiff's right to raise appropriate objections to such evidence during the course of trial.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge